

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF KANSAS
STANDING ORDER NO. 06-03
REQUIRED FORM REGARDING PAYMENT ADVICES**

Pursuant to 11 U.S.C. § 521(a)(1)(B)(iv), all individual debtors are required to file "copies of all payment advices or other evidence of payment received within 60 days before the date of the filing of the petition, by the debtor from any employer of the debtor." Pursuant to 11 U.S.C. § 521(I), if a debtor fails to file the payment advices within 45 days of the date of the filing of the petition, "the case shall be automatically dismissed effective on the 46th day after the date of the filing of the petition" unless the debtor requests an extension of time before the expiration of the 45-day period and the court finds justification for extending the time for filing the required documents.

Although a full review of a debtor's schedules or Statement of Financial Affairs might suggest that a particular debtor may not have received payment advices during the prior year, such review may not in all cases be accurate, such review is time-consuming for the Clerk's staff, and the review may not in every case be accurate in definitively determining that a debtor has not received any payment advices or other evidence of payment within 60 days before the date of the filing of the petition. To assist the Clerk's Office in determining whether the case must be dismissed on the 46th day, the Court adopts the attached form, which all individual debtors are required to use when attempting to comply with 11 U.S.C. § 521(a)(1)(B)(iv). If this completed and signed form is not filed within 45 days of the date of filing (or an extension for the filing of those documents), the Court will assume debtor has received such advices, but has simply failed to provide them, and the case will be automatically dismissed on the 46th day after filing. The Court will continue to send a Notice of Deficiency if the Declaration Regarding Payment Advices is not filed with the petition (and that Notice will reference a 15-day period to correct because that is the time period the Court has adopted for other petition deficiency issues). If a case has joint debtors, each debtor must complete a separate Declaration.

This Standing Order is identical to Standing Order 06-02, except that it corrects one potentially confusing word in the attached form. Standing Order 06-02 is thus now rescinded.

IT IS SO ORDERED.

Dated this 31st day of May, 2006.

s/ Robert E. Nugent

ROBERT E. NUGENT, Chief Judge

s/ Janice Miller Karlin

JANICE MILLER KARLIN, Judge

s/ Dale L. Somers

DALE L. SOMERS, Judge

s/ Robert D. Berger

ROBERT D. BERGER, Judge

[case caption]

**DECLARATION REGARDING PAYMENT ADVICES OR EVIDENCE OF PAYMENT
UNDER 11 U.S.C. § 521(a)(1)(B)(iv)**

I declare (or certify, verify, or state) under penalty of perjury that the following is true and correct (CHECK ONE OF THESE BOXES):

☐ I have not been employed by any employer within the 60 days before the date of the filing of the petition.

☐ I was employed by an employer within 60 days before the date I filed my bankruptcy petition, but I have not received payment advices or other evidence of payment because

_____.

☐ I have received payment advices or other evidence of payment within 60 days before the date I filed my bankruptcy petition from any employer, and they are attached.

Executed on _____ (date) by _____ (debtor)